



DEFENSE LOGISTICS AGENCY
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IN REPLY
REFER TO

DLSC-P
PROCLTR 98-03

MAR 09 1998

MEMORANDUM FOR PROCLTR DISTRIBUTION LIST

SUBJECT: Justification and Approval (J&A) Format

The purpose of this PROCLTR is to provide a revised J&A format for contract actions to be awarded without providing for full and open competition. New DLAD coverage at 6.303-(a)(90) (Attached) focuses on the essential elements required by statute to be addressed in the J&A, rather than using a check the block approach. This revised format is to be used for all J&As requiring approval by the DLA Senior Procurement Executive, i.e., those in excess of \$50 million, and is recommended at lower approval levels. Its use should result in a document which better explains the rationale for using other than competitive procedures and is easier for reviewing and approving officials to follow, thus expediting the approval process.

This PROCLTR is effective immediately and expires upon incorporation of the revised coverage into the DLAD or 1 year from the issue date, whichever occurs first. The point of contact for any questions or concerns is Norma Bailey-Muller, DLSC-PPP, at DSN 427-1393 or email address norma_baileymuller@hq.dla.mil.

Attachment

ROBERT L. MOLINO
Executive Director
(Procurement)



SUBPART 6.3 - OTHER THAN FULL AND OPEN COMPETITION

6.303-2 Content

(a)(90) Justifications requiring approval by the Senior Procurement Executive, DLA, should be prepared using the following format which may be adapted and supplemented to suit the needs of the particular acquisition, provided each justification 1) includes the specified topic headings, 2) cites the associated statutory requirement of 10 U.S.C. 2304(f)(3)(A)-(F), and 3) sets forth the facts and rationale in a logical sequence. Under each heading, use as many paragraphs as needed to explain the justification. Avoid jargon and overly technical or esoteric language. Numbering of sections and paragraphs is recommended for ease of reference.

1. Title: "Justification for Other than Full and Open Competition for [item/service to be purchased] under authority of 10 U.S.C. 2304 [specific exception number]."

2. Summary/Introduction: State in a few sentences 1) the field activity/agency, 2) what is being bought, 3) the estimated value and contract duration, and 4) the statutory authority cited for other than full and open competition. (This introductory section should be concise, as these points will be developed in detail later in the document.)

3. Description of Agency's Need (10 U.S.C. 2304(f)(3)(A)): Include a summary of the origin of the procurement, a description of the supplies/services needed, the specific need or use for the item/service, and any other general information needed to understand the context of the procurement. If this is a lengthy section, additional topic headings may be appropriate, such as "Background," "Current Procurement Efforts," etc.

4. Authority for Other than Full and Open Competition (10 U.S.C. 2304(f)(3)(B)): Cite the authority and provide the rationale. If a particular company's unique qualifications are critical, discuss those here. This section should include all facts supporting the use of other than full and open competition. This section should also address why the full quantity to be contracted for needs to be purchased without using competitive procedures.

5. Price/Cost Considerations (10 U.S.C. 2304(f)(3)(C)): Discuss relevant pricing issues, including the basis for determining that the anticipated price/cost will be fair and reasonable. Also include here, or elsewhere as appropriate, length of contract, quantity, and other contract particulars bearing on the price/cost.

6. Market Research/Efforts to Obtain Competition (10 U.S.C. 2304(f)(3)(D) & (E)): Discuss market research, synopsis, and other efforts made to publicize the requirement and generate competition. Also include a listing of sources that expressed, in writing, an interest in the procurement. (Market Research may be addressed separately, if appropriate.)

7. Actions Being Taken to Overcome Barriers to Competition (10 U.S.C. 2304(f)(3)(F)): Describe, for example, any efforts to identify and evaluate less restrictive methods of expressing the requirement. Include, when applicable, a description of the action being taken to obtain a data package adequate to acquire the item competitively in future acquisitions.

I hereby certify that the information contained in this justification is accurate and complete to the best of my knowledge and belief.

Date

Contracting Officer

Over \$50 million:

Other signatures as appropriate:

Chief Counsel

Other

I have reviewed and hereby recommend that this Justification be approved:

DLA Competition Advocate

Signature and Date

Approval :

DLA Senior Procurement Executive

Signature and Date